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8 Attorney for Defendant,
9 PEDRO LOPEZ, JR.

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11
12 IN THE UNITED STATES DISTRICT COURT
13
14 EASTERN DISTRICT OF CALIFORNIA, FRESNO

15 * * * * *

16 UNITED STATES OF AMERICA,) Case No.: CR-F-03-5165 OWW
17)
18 Plaintiff,) STIPULATION AND ORDER CONTINUING
19) SENTENCING HEARING
20)
21 vs.)
22)
23 PEDRO LOPEZ, JR.,)
24)
25 Defendant.)
26)
27)
28)

IT IS HEREBY STIPULATED between the Defendant, PEDRO LOPEZ, JR., by and through his legal counsel, Anthony P. Capozzi and Roger J. Rosen, and the Plaintiff, United States of America, by and through Assistant United States Attorney Kathleen A. Servatius, that the sentencing hearing set for Monday, August 1, 2005, be continued to Monday, August 15, 2005, at 1:30 p.m.

The parties further agree that any delay resulting from this continuance shall be excluded on the basis of Title 18, United States Code, Section 3161(h)(8)(A), to wit: The ends of justice

served by taking such action outweighs the best interest of the public and the defendant in a speedy trial.

Respectfully submitted,

Dated: July 11, 2005

/s/ Anthony P. Capozzi
Anthony P. Capozzi,
Attorney for Defendant,
Pedro Lopez, Jr.

Dated: July 11, 2005

/s/ Roger J. Rosen
Roger J. Rosen,
Attorney for Defendant,
Pedro Lopez, Jr.

Dated: July 11, 2005

/s/ Kathleen A. Servatius
Kathleen A. Servatius,
Assistant U.S. Attorney

ORDER

IT IS SO ORDERED. Good cause having been shown, the Sentencing Hearing set for August 1, 2005, is vacated and continued to August 15, 2005 at 1:30 p.m. Additionally, time shall be excluded by stipulation from the parties and pursuant to 18 USC §§ 3161(h)(A).

Dated: July 12, 2005

/s/ OLIVER W. WANGER

Honorable Oliver W. Wanger
U.S. District Court Judge